

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 6302 of 1999

For Approval and Signature:

Hon'ble MR.JUSTICE J.N.BHATT and
MR.JUSTICE H.K.RATHOD

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1. Whether Reporters of Local Papers may be allowed : NO
to see the judgements?

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?

4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?

5. Whether it is to be circulated to the Civil Judge? : NO

KANDLA CLEARING AGENCY PVT LTD

Versus

UNION OF INDIA

Appearance:

MR KB TRIVEDI FOR M/S TRIVEDI & GUPTA for Petitioners
MR AKSHAY H MEHTA for Respondents

CORAM : MR.JUSTICE J.N.BHATT and
MR.JUSTICE H.K.RATHOD

Date of decision: 07/10/1999

ORAL JUDGEMENT(Per J.N.Bhatt, J.)

Rule, service of which is waived by learned counsel Mr
Akshay H. Mehta for the respondents.

At the very outset, it may be articulated that the main
grievance which is voiced in this petition under Article
226 of the Constitution is revolving round the inaction

and non-adjudication of the representation made by the petitioner Company to the respondent No.2, who suspended the CHA licence of the petitioner No.1, since 20th April, 1998 as by that date, the first representation came to be made by the petitioner company. Again reminder followed in the month of August 1998 followed in January 1999 and despite that, it is the contention of the petitioners that no response is received. Hence this petition.

After having heard the learned advocates appearing for the parties and considering the facts and circumstances, we direct the respondent No.2, Commissioner of Customs, Kandla, to attend, adjudicate and decide the said representation which is pending since long within a time frame of five weeks, if not so far decided. In our opinion, this direction shall suffice and therefore no further order, at this stage, is warranted.

With the aforesaid direction, this petition shall stand disposed of. Rule is made absolute to the aforesaid extent with no order as to costs.

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